

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Civil No. 09-00139-01-CR-W-DGK
)
)
ROBERT E. GREEN,)
)
)
Defendant.)

ORDER

On May 15, 2009, counsel for defendant filed a motion for a determination of the mental competency of the defendant to stand trial. Defendant was examined by Dr. Dia N. Brannen and a competency hearing was held before United States Magistrate Judge John T. Maughmer on October 23, 2009. The parties stipulated to Dr. Brannen's report, and no additional evidence was presented. On October 28, 2009, a Report and Recommendation (Doc. 24) was filed, to which there has been no timely objection. Therefore, after making an independent review of the record, it is

ORDERED that the Report and Recommendation of Magistrate John T. Maughmer is adopted in its entirety, and this Court finds that defendant is competent to understand the nature and consequence of the proceedings against him and to assist properly in his defense.

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT

Dated: November 10, 2009